

THE DAILY COMMONWEALTH.

FRANKFORT...THURSDAY, FEB. 10, 1848.

KENTUCKY LEGISLATURE.

IN SENATE.

WEDNESDAY, Feb. 9, 1848.

The Senate was opened with prayer by the Rev. Mr. ROBINSON, of the Presbyterian church. A message was read by the Clerk.

A message from the House, by the Clerk, announcing the passage of certain bills, &c.

Petitions.

Petitions were presented by Senators Grey, Slaughter and Williams, and appropriately referred. A message from the Governor, announcing his approval of certain bills, &c.

Reports from Standing Committees.

Mr. HARDIN, from the Judiciary committee—a bill to amend an act for the benefit of Ann L. Clemens, approved February, 1847; read and passed. Also, against the petition of the Trustees of the town of Russellville; concurred in.

Also, a bill for the benefit of Philip W. Baker's heirs; read and passed.

Mr. SWOPE, from the committee on Internal Improvement—a bill to change a State road in Owen county; read and passed.

Mr. J. SPEED SMITH, from the same committee, a bill for the benefit of Nathan Wallace, of Hickman county; read and passed.

Mr. McMILLAN offered a resolution appointing a joint committee to wait on the Rev. Robert J. Breckenridge and solicit a copy of the address delivered by him on the 8th inst., upon the subject of Common Schools, for publication, which was adopted.

Leave was given to introduce the following bills: To Mr. HOBBS, a bill for the benefit of the Baptist Church on Long Run, in Jefferson county; referred.

To Mr. GREY, a bill to establish an election precinct at Trenton, in Todd county; referred.

Orders of the Day.

The Senate resolved itself into a committee of the whole, Mr. CRENshaw in the chair, and took up for consideration the Apportionment bill.

Mr. HAMBLETON moved to amend the bill by giving to Hancock county a separate representation. The bill places Ohio and Hancock counties together, and gives them one representative. Mr. H. accompanied his motion with appropriate remarks—stating the injustice of the bill in this particular, and the reasons why his motion should prevail.

Mr. TODD, chairman of the Apportionment committee, felt called upon to state the reasons of their action upon this part of the bill, and the reasons at length, which governed them in forming the present bill.

Mr. GREY addressed the Senate at length in favor of the amendment—contending that Hancock drew sufficient residuum from the surrounding counties to entitle her to a representative.

Mr. HELM spoke at length in favor of that part of the bill giving to Larue county one representative—that county having been assailed by the Senator from Christian, in his advocacy of the amendment.

Mr. FOX discussed the merits of the bill in general, and contended that great injustice had been done Pulaski, she having more voters than either Christian, Logan, Hardin, Nelson, Bourbon, or Harrison, which, according to the bill, have two representatives each, while Pulaski has but one.

Mr. HARDIN spoke at some length against the amendment of Senator Hambleton, and in reply to Mr. Grey—and contended earnestly that Hancock is not entitled to a separate representative, nor could she draw residuum from the adjoining counties, so as to make her claim to a member of the House good. He continued his remarks upon the general apportionment of the bill.

Mr. GREY replied to the Senators from Adair and Hardin, and in favor of the amendment.

Mr. McNARY hoped the amendment proposed by the Senator from Breckinridge, (Mr. Hambleton), would be adopted—he had listened to the discussion attentively, and he was clearly convinced that the county of Hancock was entitled to a separate representative. He continued showing the way in which Hancock draws her residuum, and concluded by contending that the constitution forbids the attaching of Hancock to the county of Ohio—that county having more than the ratio to entitle her to one representative.

Mr. HARDIN replied in support of his former position, and against the amendment—he would be glad to give Hancock a member, if he could do so without great injustice to other counties, and the State at large.

Mr. HELM would inform the Senator from Christian, that Larue was bone of his bone and flesh of his flesh, and that he felt bound to constitutionally defend her, she having been attacked—and he now stated, and could prove that Larue had a larger residuum than all the other counties below her put together—this was a big banter, but he could sustain it by the figures.

Mr. GREY, with his characteristic energy and never-tiring perseverance, replied, declaring that the residuum claimed for Larue, could be appropriated by the Senator to any counties that he might desire; and turning to the Senator from Adair, he continued showing wherein he thought he was mistaken in his position.

Mr. J. SPEED SMITH did not arise because he wished to participate in this angry quarrel—he had always found that the most acrimonious contentions arose with parties who were squabbling over property which belonged to neither. He then went into the merits of the bill, stating the number of representatives that his section was entitled to the member they were wrangling about—that if they would give it up as it was justly due, this quarrel was settled, it belonged to neither, and as it was constitutionally his, he left it with the gentlemen to determine whether or not his section should have it.

Mr. HAWKINS thought the member from Christian mistaken as regards the action of the committee on this particular part of the bill and spoke in favor of the amendment.

The question was then taken on the amendment, and decided in the negative by a vote of 20 yeas to 17 nays.

Mr. YOUNG moved to amend the bill so as to give Morgan a separate representative.

Mr. RICE supported the amendment in a speech of some length, contending that, in conformity with the constitution, Morgan having so large a vote, and such a quantity of residuum, it was justly her right and he hoped the Senate would do right in this matter. At the last apportionment her strength was not reported to the Auditor—now it is known—and her right clear and unquestionable, he hoped the Senate would concur in the amendment.

The amendment was then adopted.

Mr. EVANS moved to amend the bill by giving to Logan one and Warren two representatives.

Mr. EVANS spoke at length in favor of his amendment. Warren he declared had a larger number of voters than Logan, and by an examination it would be seen that Logan could draw no residuum

from the counties around—there actually was a deficiency—it was the right of Warren—the Constitution gives it to her—right and justice demanded that she should have it. Warren desired to tear down no county but only contended for her own rights. He had but little feeling in the matter—he had endeavored to keep down feeling—he only wished to discharge his duty and secure for his constituents what they were justly entitled to.

Mr. WALKER replied to the Senator from Warren, (Mr. Evans), and contended against the proposed amendment—showing that residuum did come to Logan from adjoining counties and that Warren was compelled to supply Allen, and in supplying that county fell far below Logan—the committee of both Houses after investigating the claims of each county and had reported the bill to their respective Houses giving to old Logan her two members. The Senator had appeared before the committee of the other House and had advanced, with his usual ability, all of the arguments here given and many others, yet after mature deliberation, they had reported against the claim of Warren to two members. Senators had examined into the merits of the case—Logan was entitled to the two members and he hoped the amendment would be rejected.

Mr. EVANS replied to the Senator from Logan, and in support of his proposition.

Mr. WALKER rejoined, surveying the whole ground and contending most earnestly that justice and right (no constitutional barrier being in the way,) demanded that Logan should retain her two members and the amendment fail.

Mr. EVANS again rejoined in explanation of residuum, &c.

Mr. WALKER again replied, and the question then being taken on the amendment, was decided in the negative by a vote of 18 yeas to 13 yeas.

On motion of Mr. DRAFFIN, the committee rose, reported the bill to the Senate and asked leave to sit again, which was granted.

Mr. BRADLEY, from the committee on Enrollments, reported certain bills correctly enrolled, and On motion, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, Feb. 9, 1848.

House was opened with prayer by the Rev. Mr. ROBINSON, of the Presbyterian Church. Journal was read by the Clerk.

Petitions were presented by Messrs. Boyd, Combs, Turner, Headley, McKinney and Moore, six—one from a soldier in Mexico, praying for a divorce from his wife, which were appropriately referred.

A message from the Senate announcing the passage of certain bills.

Mr. WINTERSMITH had leave to withdraw the petition and papers of James Crawford.

Reports of Standing Committees.

Mr. COLLINS—Internal Improvement committee—a bill to incorporate the Paris and Cynthiana Turnpike Company; read and passed.

Also, a bill to incorporate a Turnpike Company from Versailles to Midway; read and passed.

Also, a bill to incorporate the Paris and Combs' Ferry Turnpike Company; read and passed.

Also, a bill to incorporate the Springfield, Russellville and Danville Turnpike Company; read and passed.

Also, a bill for the benefit of James de Witt, Ben. Riddle and Isaac Chenoweth; read, when

Mr. WINTERSMITH made a statement of the case in full; and then the bill was passed.

A message was received from the Governor, announcing his approval of certain bills, &c.

Mr. COLLINS, a bill to incorporate the Great Crossing and Stamping Ground Turnpike Company; read, when

Mr. PRATT made an explanation of the bill and its objects. The further readings were dispensed with and the bill was then passed.

Mr. WILKINS moved to reconsider the vote by which the bill changing the State road in Christian county was passed; carried.

Mr. CHILTON then offered a substitute for the bill—giving the County Court jurisdiction over the road; adopted, and then the bill passed as amended.

Mr. COLLINS, a bill authorizing the President and Directors of the Versailles and Anderson Turnpike Road Company to erect an additional toll gate; read and passed.

Also, a bill to amend the charter of the Oakland Turnpike Road Company; read and passed.

Mr. WINTERSMITH—Internal Improvement—a bill to amend the act to improve the navigable streams of this Commonwealth; read.

Mr. S. YOUNG explained the provisions and objects of the bill, and advocated its passage.

Mr. COLLINS said it was an important bill and one upon which the committee would not express any opinion; he thought the House had better attend to it, and especially those members who resided on navigable streams.

A message from the Senate, announcing the passage of a joint resolution in relation to the address of Rev. R. J. Breckenridge.

Mr. WINTERSMITH stated the provisions of the bill and that he was not aware of the necessity of it, &c.

Mr. COCKRELL was opposed to the bill.

Mr. WILLIAMS was opposed to the passage of this bill as it would result in damage to those persons who owned farms on the rivers.

Mr. WARREN was in favor of the bill, as he could not see that it would result in detriment to any man.

Mr. BEELER was aware of the necessity of this bill, and he knew that the bill was desired by the people of his county.

The bill was withdrawn by consent, with a view of amending it so as to confine to certain counties.

Mr. HUGHES moved to dispense with the rules, in order to take up the joint resolution of the Senate, in relation to the address of Rev. R. J. BRECKENRIDGE; carried, and the resolution was then adopted.

A copy of the resolution may be found in the report of the Senate proceedings, in to-day's paper.

Mr. WINTERSMITH, a Senate bill to incorporate the Hopkinsville and Eddyville Railroad Company, with an amendment; concurred in, when

Mr. COLLINS offered to amend by adding a section reserving to the State the right to levy a tax upon the stock, the same as on other property; adopted, and the bill was passed.

Mr. WINTERSMITH, a substitute for the bill to amend an act to construct a road from the mouth of Muddy river to Russellville, in Logan county; read and passed.

Also, a bill to incorporate the Spencer county and Louisville Turnpike Road Company, and for other purposes; read and passed.

Also, a bill to amend the charter of the Frankfort Bridge Company—allowing a toll of five cents on fat cattle; read, when

Mr. THOMAS advocated the bill upon the ground that the additional toll given by it, was not any more than the actual damage to the bridge.

Mr. TOWLES said when the bridge company was incorporated, fat cattle were not in fashion; but now they were driven across in droves, much to the damage of the bridge.

Mr. GRAINGER was opposed to the bill, because it would be necessary to have a jury of butchers at either end of the bridge, to determine whether cattle were fat or not—it was a very indefinite term.

Mr. HANSON was opposed to the bill, because it would operate as a detriment to stock raisers, and

perhaps to certain sections of the State. He had been informed that the stock in this bridge was the best of any stock in Kentucky, and he would inquire into the matter before he gave them any further means of profit.

The bill was further discussed by Messrs. Christopher and Collins.

Mr. WRIGHT said he did not raise fat cattle in his county, and were therefore necessitated to get their fat beef from this section of the State, and as he wanted to get it as cheap as possible, he moved to lay the bill on the table, which was carried.

Mr. WINTERSMITH, a substitute for the bill to improve the navigation of Licking river, from Lock No. 1 to Lock No. 5; appropriating \$5,000, read, when

Mr. TALIAFERRO stated the objects of the bill, and advocated it at length, upon the ground that the State had by her former systems of improvement commenced works upon Licking river, which were subsequently abandoned, leaving impediments in the river, and which this bill now proposed to make appropriations to remove. He thought it nothing but just and right to do it; he also urged the passage upon other grounds.

The bill was further discussed by Messrs. Haggard in favor, and S. Young against.

Mr. HAMILTON offered to amend the substitute by adding an appropriation of the same amount to improve the same river in the counties of Bath and Morgan. He advocated the substitute at some length.

Mr. COLLINS moved to re-commit the bill to Internal Improvement committee, with instructions to report a bill providing for the sale of the rocks in the channel, and apply the proceeds to removing the obstructions.

Mr. HARDY thought if the State ever intended to prosecute the improvement to completion, it would be bad policy to dispose of that rock. He was opposed to the instructions if such might be considered the intention of the State.

Mr. WARREN was opposed to the instructions, as he thought at some future date Licking river might be so much improved as to enable steamboats to go up it as far as his county; and now, in high water, the flat boats could float right over the top of the rocks.

The motion to re-commit with instructions was then carried.

Orders of the Day.

The House resolved itself into a committee of the whole, Mr. HUGHES in the Chair, on the bill to fix the ratio and apportion the rate of representation for the next four years.

Mr. SMITH moved to strike out Garrard from the 23d Senatorial District.

Mr. BUSH moved to rise, report progress and ask leave to sit again.

Mr. BOWLING was opposed to the motion, as the bill was one that had to be passed before the session could be closed. He could not consent to throw it longer between the House and adjournment. The fact that the other branch was now acting upon the same matter was no reason for this House to defer its deliberations.

Mr. WINTERSMITH looked upon the bill as unjust and outrageous, and he should fight it so long as he had any breath in his body, &c.

Mr. ELLIOTT thought the present bill did great injustice to his district, &c. He was in favor of the motion.

Mr. T. D. BROWN was generally opposed to postponing any matter, but this matter was in such a peculiar condition he was in favor of postponement.

Mr. BARLOW was in favor of the motion—he had no complaint to make against the bill, &c.

Mr. WILLIAMS was dissatisfied with the bill, and he was willing to procrastinate its discussion, and he was in favor of the motion.

Mr. JOHNSTON was opposed to the postponement, because he thought it would have a tendency to protract the session.

Mr. MOORE said, that he had the honor to be one of the committee who had reported the bill; he was willing to postpone the action of the House upon the bill, to give gentlemen who felt themselves aggrieved any time they wanted, to show that injustice had been done them. He was confident that there was no intentional injustice done to any one. He would confess that there was great difficulty in apportioning the representation of the State in a way to meet the wishes and constitutional views of all the members; and he would hazard the assertion, that when the bill had passed both branches, that there would be as many members dissatisfied as there were now. It is said by members, that the committee have violated the constitution. One member thinks the constitution violated, because his neighbor has too much, and his neighbor thinks it violated because he has too little. Then, it is not strange that they should think the committee violated the constitution, when they cannot agree among themselves as to what is constitutional. But there is another reason why the action of this house should be deferred. The Senate has not as yet passed the Apportionment bill, and by waiting a few days, we will see their bill, and it may be that it will accommodate itself to the notions of gentlemen, more than the bill of the House—at least it will be a saving of time to have both bills before the House, inasmuch as it will take the same time to discuss them separately, perhaps more than it would to consider them both at the same time. He thought that gentlemen were over zealous, and too much excited upon this subject. It would be but a short time until we would have a new, and he hoped, a better constitution, by the provision of which each county would have its member or members according to the number of its own inhabitants, and that we would no longer hear those long, tire-killing arguments which always had been, and would be made, whenever the question comes up under the present constitution. He hoped the House would not now consume time in the discussion of the bill. He had been told by old members, and he supposed the journals of both Houses would show the fact, that an Apportionment bill originating in this House never had passed both branches, and he thought, judging from every indication, that such an event was not to be hoped for at present.

Mr. WRIGHT was opposed to any postponement; he was resolved to fight this bill till August, if necessary, or at least till some alteration could be made in the present bill, which he thought to be a flagrant violation of the constitution.

Mr. CHRISTOPHER was in favor of postponement, as he thought it would in the end save much time.

Mr. HARDY was in favor of postponement, for reasons given.

Mr. BOWLING further opposed the postponement of the bill.

The question being, "shall the committee rise, report progress and ask leave to sit again?" it was carried, leave granted, and the bill was made the special order of the day for Monday next at twelve o'clock.

A bill to modify the act of 1833, in relation to the importation of slaves; read.

Mr. T. D. BROWN moved a call of the roll, as the bill was an important one; carried, and eleven members were absent.

Mr. TALBUTT offered to amend by adding a proviso that any slave brought into the State under this act, should not be paid for by the State if he commit felony and be executed therefor.

Mr. T. D. BROWN was opposed to the amendment on constitutional and other grounds.

Mr. WINTERSMITH thought the amendment not unconstitutional.

Mr. WRIGHT hoped the gentleman from Bourbon (Mr. Talbutt) would withdraw the amendment. He could see no reason why the distinction should be made between owners of slaves, whether such owner bought him in or out of the State of Kentucky.

Mr. TALBUTT offered the amendment to protect the State against any loss in consequence of bad negroes being imported, if this bill was passed.

Mr. HANSON thought the bill an important one, and as there were on the call of the roll ten members absent, he was in favor of deferring the bill to a future day, and he moved to make it the special order for Thursday next.

Mr. HUGHES' remarks will be given hereafter.

Mr. BAILEY moved to lay the bill and amendments on the table.

The yeas and nays being called it was lost, 34 to 56.

Mr. HARDY did not consider the amendment of the gentleman from Bourbon (Mr. Talbutt) unconstitutional. That if the Legislature granted a privilege to men to bring in negroes, it has the right to say what conditions shall be attached to the privilege. He was in favor of the amendment and hoped it would be adopted. He was an old man and had seen the evil operation of the old law allowing free importation of slaves; and he wished to provide against a return of such a state of things.

Mr. D. P. WHITE moved that the House do now adjourn. The yeas and nays being called it was carried, 50 to 39.

General Advertisements.

Historical Sketches of Kentucky.

HISTORICAL SKETCHES OF KENTUCKY; embracing its History, Antiquities, Biographical Sketches, and Sketches of Character of between one and two hundred Pioneers, Statesmen, Soldiers, Jurists, Divines, Physicians, &c.; descriptions of the Counties, Cities, Towns, Villages, &c. &c.; embellished with 40 handsome Wood Engravings. Together with a MAP of the State; by LEWIS COLLINS. This Work has just issued from the press, and is on sale at the Counting Room of the Commonwealth Office. Jan. 19, 1848.



CROP OF 1847.

DIRECT from Philadelphia; each paper bears the label and warranty of DAVID LANDRETH. For sale by

WM. M. TODD, Bookseller,

No. 1, SWIGERT'S ROW, ST. CLAIR STREET, FRANKFORT.

For Orders for Fruit or Ornamental Trees, from the above establishment, received and promptly forwarded, by

WM. M. TODD, Landreth's only agent for Frankfort & vicinity.

February 4, 1848—d&4w

A Comfortable Dwelling for Sale.

THE FRAME HOUSE, at present occupied by James T. Judge, situated on Ann, between Main and Clinton streets in this place; possession given the first of April. For particulars, enquire of

TODD & CRITTENDEN.

Frankfort, Ky., Feb. 7, 1848—32-1f

GROCERIES, &c.

10 Boxes Frank's best Mould Candles; 4 Barrels Clover Seed; 5 Hogsheads best Brown Sugar—new crop; 2 Barrels Buckwheat Flour; Just received and for sale low, for cash, by

B. B. JOHNSON.

Frankfort, Feb. 8, 1848—1f

"Rough and Ready" FIRE COMPANY, No. 2.

THE members of the "ROUGH AND READY" FIRE COMPANY, are hereby notified, that an Election for Officers to serve the present year, will take place on SATURDAY the 12th of February, at the Council Chamber, at 3 o'clock. The members will be prompt in their attendance.

By order of JAMES F. DRYDEN, Capt.

Feb. 3, 1848.

Blue Lick Water.

BLUE LICK WATER. Just received several Barrels of Fresh BLUE LICK WATER. It is for sale at his Tonsorial Institute, opposite the Mansion House.

Frankfort, January 28, 1848—1f

New Orleans Sugar.

10 HHDS prime old Sugar; 5 do new crop, just received and for sale by

TODD & CRITTENDEN.

Jan. 25, 1848.

LOUISVILLE VARIETY STORE.

EMORY LOW & CO.

ARE now receiving many of their GOODS FOR THE SPRING TRADE, and as one of the firm is residing in New York, they will be constantly receiving, through the business season, Goods to assort their stock, direct from Manufacturers, and of their own importation, from Sheffield and Birmingham, which will keep their stock one of the largest in their line.

Our stock of HATS and BONNETS is now the largest and comprises a greater variety than any other in the West; and having been nearly all manufactured with great care expressly for us, we can warrant them to run uniform, good sizes, and we will be able to sell as LOW as a much inferior article can be bought.

We invite all our old customers and the trade generally, to call and examine our stock, which we are determined to sell at prices which cannot fail to secure to us the best trade that comes to our market.

A full stock, at all times, of the following articles will be found at our store, on MAIN STREET, near the Bank of Louisville, between Third and Fourth streets.

Palm Leaf Hats, Redding and Dressing Combs, Buttons, a great variety; Fur, Silk and Russia Hats, Cloth and Hair Brushes, Beaver, Wool and Glazed Hats, Shoes and Horse do, Bonnets, a great variety, Cotton and Wool Cards, Ribbons, do do, Pocket Knives & Table Cutlery, Artificial Flowers, a great variety, Green Braid, Table and Tea Spoons, Buttons and Screws, Traces Chains and Hoes, Laces, a great variety, Fish Hooks and Lines, Pins and Needles, Files and Curry Combs, Cut Tacks, Hooks and Eyes, Knitting Plus, Trimbles, a great variety, Violin Strings, Cap and Letter Paper, Gold and Gilt Jewelry, Marbles and Jewels, Bonnet Wire, Beards and Neckties, Looking Glasses, a large stock, Dress and Bonnet Whalebone, Shaving Soap and Razor Strops, Slates and Pencils, Shell and Ivory Combs, Riding Whips.

MACHINE CARDS for CARDING WOOL, very good and cheap.

Main Street, near the Bank of Louisville, between Third and Fourth Streets.

Office, 214, Pearl Street, New York.

HATS! HATS!!

1,066 PANAMA HATS, assorted;

3,150 dozen Palm-Leaf Hats;

1,500 single brim Leghorn Hats;

600 double brim do;

100 dozen Sills do;

120 do Angola do;

